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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,291	01/23/2002	Chuck Peters	60034-9085	7509
7590	02/25/2005		EXAMINER	
Thompson Coburn LLP 1 Firststar CTR Saint Louis, MO 63101			TRINH, MINH N	
			ART UNIT	PAPER NUMBER
			3729	
DATE MAILED: 02/25/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/055,291	PETERS ET AL.
	Examiner	Art Unit
	Minh Trinh	3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 27 December 2004.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-19 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3,7,8,12-15,17 and 19 is/are rejected.
- 7) Claim(s) 4-6,9-11,16 and 18 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. 09/754561.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

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### **DETAILED ACTION**

1. The amendment filed on 12/27/04 has been fully considered and made of record. Claims 1-19 are now pending in this application.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claim 1 is objected to because of the following: It is unclear as to whether the steps of: positioning . . . and securing . . . and/or moving . . . (see claim 1, line 7, 9, 12) are happening after one another, the term "then" recites before each of the limitation (i.e., positioning...) as described above not clearly define whether the order steps is being in the sequentially order as listed. For better clarification, the use of: ". . . comprising the steps in the order of" or ". . . comprising in sequential order of" is suggested.
4. Claims 1-3, 7-8, 12-15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graf et al (5,137,478).

Graf et al disclose substantially every aspect limitation of the method for terminate wire to terminal of the present invention including: placing sleeve 22 over the electric conductor 14 (see Figs. 1-4, and the discussed at col. 2, lines 3-4), positioning the exposed end portion of the wire 16 adjacent the terminal 24 (see Fig. 5), and securing the exposed end portion of the wire 16 to a first portion of the terminal 20 in a manner so that the exposed end portion of the wire is

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mechanically secured to and electrically coupled to the terminal (see Figs. 4-5), moving the sleeve along the electric conductor to a position in which a portion of the sleeve is adjacent the terminal (see process as shown in Figs. 4-5). Graf et al do not teach the moving step (see claim 1, lines 11-12). It is inherent to move the sleeve along the electric conductor as so to position a portion of the sleeve adjacent to a desire crimping location of the terminal for a benefit of mechanical contacting and or securing of these parts (sleeve and terminal).

As applied to claims 2-3, 7-8, and 12 noting limitations of these claims are also met by Graf (see process as shown in Figs. 1-4).

As applied to claims 13-14, electro motive apparatus and electric motor are well known in the art therefore, one having ordinary skill in the art at the time of the invention was made to make provide the above apparatus and forming the sleeve connection on its associated conductor would be a matter of design choice. Further, it is also known that it is inherent to form a interconnection contact terminal having sleeve and is secured to each end of the conductor wire of the electro apparatus or electric motor in order to provide the means for connection therefrom.

Limitation of claims 15 and 17 are also met by the modified invention of Graf as the above discussion.

### ***Response to Arguments***

5. Applicant's arguments filed on 12/27/04 have been noted but are moot in view of the new ground(s) of rejection.

Applicants argue under the "Remarks" (page 8, that the prior art to Graf do not teach the positioning a sleeve over an electrical conductor then positioning an exposed end conductor adjacent a terminal, then securing the exposed conductor to the terminal, etc., The examiner disagrees, because in Graf, as shown in Figs 1-5, depicts the sleeve 22 is being placed over the associated conductor 14 then positioning an exposed end conductor adjacent a terminal 20, and then securing the exposed conductor to the terminal (best shown in Fig. 4) in order to obtain an assembly therefrom. Further, Applicants argue that Ito does not teach a portion of the terminal is left exposed outside the sleeve are found to be persuasive and are convinced.

6. Claims 4-6, 9-11, 16 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### **Interviews After Final**

7. Applicants note that an interview after a final rejection will not be granted unless the intended purpose and content of the interview in presented briefly, in writing (the agenda of the interview must be in writing). Such an interview may be granted if the examiner is convinced that disposal or clarification for appeal may be accomplished with only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations which would require

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more than nominal reconsideration or new search will be denied. See MPEP 714.13 and 713.09.

Further, it is noted that any amendment made to the disclosure and the claims. Applicant requires to point out the support provide numeral references to the claimed limitations as well as support in the disclosure (i.e., page and line numbers and reference number associated with from the drawings) for better clarity (See 37CFR 1.111 and section 2163.06 of the MPEP).

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mt  
2/17/05



MINH TRINH  
PRIMARY EXAMINER